

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:
*The Government of Puerto Rico v. Teva
Pharmaceutical Industries, Ltd. et al.,
Case No. 1:22-op-45007*

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

THE GOVERNMENT OF PUERTO RICO'S MOTION TO REMAND

COMES NOW Plaintiff, the Government of Puerto Rico (“the Government” or “Puerto Rico”), through its undersigned counsel, pursuant to 28 U.S.C. § 1447, and respectfully moves this Honorable Court to remand this action to the Superior Court of Puerto Rico, Court of First Instance, San Juan Part. As set forth more fully in the attached memorandum, the Removing Defendant has asserted a groundless removal theory that multiple courts across the country have uniformly rejected in at least a dozen different cases. The same result should occur here.

Actavis has improperly removed this case, over which there is no federal question jurisdiction. The Government therefore moves this Honorable Court for an Order remanding this case back to Puerto Rico Superior Court. In support of its motion, the Government files the attached memorandum of law.

WHEREFORE, the Government of Puerto Rico respectfully requests that this Honorable Court enter an Order granting its Motion to Remand, and promptly remand this matter to the Puerto Rico Superior Court, San Juan Part.

Respectfully submitted this 22nd day of February 2022.

HON. DOMINGO EMANUELLI
SECRETARIO DE JUSTICIA
DEPARTAMENTO DE JUSTICIA
GOBIERNO DE PUERTO RICO
P.O. Box 9020192
San Juan, Puerto Rico 00902-0192
Tel: (787) 721-2900

By Counsel,

s/Linda Singer

Linda Singer
David Ackerman
Sara Aguiñiga
Pro Hac Vice to be Submitted
MOTLEY RICE LLC
401 9th Street, NW
Suite 1001
Washington, DC 20004
Tel. (202) 386-9626
Fax (202) 386-9622
lsinger@motleyrice.com
dackerman@motleyrice.com
saguiniga@motleyrice.com

s/Andrés W. López (w/consent)

Andrés W. López
USDC-PR No. 215311
THE LAW OFFICES OF
ANDRÉS W. LÓPEZ, P.S.C.
P.O. Box 13909
San Juan, PR 00908
Tel. (787) 294-9508
andres@awllaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of February 2022, I caused the foregoing *The Government of Puerto Rico's Motion to Remand* to be electronically filed with the Clerk of Court by using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF System.

s/Linda Singer

Linda Singer